

U/F

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ALLSTATE INSURANCE COMPANY,  
ALLSTATE INDEMNITY COMPANY,  
ALLSTATE PROPERTY & CASUALTY  
INSURANCE COMPANY, ALLSTATE NEW JERSEY  
INSURANCE COMPANY, ALLSTATE FIRE &  
CASUALTY INSURANCE COMPANY AND  
ALLSTATE VEHICLE & PROPERTY INSURANCE  
COMPANY F/K/A/ DEERBROOK INSURANCE  
COMPANY,

Plaintiffs,

vs.

GERALD SURYA, M.D.,  
SUN MEDICAL CARE OF NASSAU, P.C.  
SKY MEDICAL, P.C.,

Defendants.

2:13-cv-01044 ADS-ETB

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ MAR 25 2014 ★

LONG ISLAND OFFICE

**STIPULATION OF DISMISSAL WITH PREJUDICE**

Pursuant to Fed. R. Civ. P. 41(a)(1), it is hereby stipulated and agreed by the plaintiffs, Allstate Insurance Company, Allstate Indemnity Company, Allstate Property & Casualty Insurance Company, Allstate New Jersey Insurance Company, Allstate Fire & Casualty Insurance Company, Allstate Vehicle & Property Insurance Company (f/k/a Deerbrook Insurance Company) (collectively "Allstate"), and defendants, Gerald Surya, M.D., Sun Medical Care of Nassau, P.C., and Sky Medical, P.C., by and through their undersigned counsel, that Allstate's Complaint (ECF No. 1) be dismissed with prejudice as to Gerald Surya, M.D., Sun Medical Care of Nassau, P.C., and Sky Medical, P.C., without cost to any party.

[SIGNATURE PAGE FOLLOWS]

Respectfully Submitted,

Plaintiffs,  
*Allstate Insurance Company,*  
*Allstate Indemnity Company,*  
*Allstate Property & Casualty Insurance*  
*Company,*  
*Allstate New Jersey Insurance Company,*  
*Allstate Vehicle and Property Insurance*  
*Company f/k/a/ Deerbrook Insurance*  
*Company,*  
*Allstate Fire and Casualty Insurance*  
*Company, and*  
*Northbrook Indemnity Company,*  
By Their Attorneys:

*/s/ Michael W. Whitcher*

Richard D. King, Jr. (RK8381)  
Nathan A. Tilden (NT0571)  
Michael W. Whitcher (MW7455)  
Smith & Brink, P.C.  
350 Granite Street, Suite 2303  
Braintree, MA 02184  
(617) 770-2214

Dated: March 24, 2014

Defendants,  
*Gerald Surya, M.D., Sun Medical Care of*  
*Nassau, P.C., Sky Medical, P.C.,*  
By Their Attorneys:

*/s/ Neil S. Torczyner*

Russell C. Friedman  
Neil S. Torczyner  
Friedman, Harfenist, Kraut & Pelstein, LLP  
3000 Marcus Avenue, Suite 2E1  
Lake Success, NY 11042  
(516) 355-9620

Dated: March 24, 2014

SO ORDERED: *Case closed*

~~s/ Arthur D. Spatt~~ *-g*  
Spatt, J.

Dated: *3/25/14*